

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING –MAY 3, 2012**

The meeting was called to order at 9:00 A.M. with Commissioners Arthaud, Kasian and Thompson in attendance.

Others present during portions of the meeting were: Royce Robins; Perry Tescher; Pat Rummel; Dave Jurgens, James Odermann; Rick Duval; Jay Brovold; Bob Klein; Craig Kubas; Andrew Krebs

Thompson moved to approve the minutes from the April 3, 2012 regular meeting. Kasian seconded. All voted aye.

Perry Tescher met with the board offering to sell Billings County 40,000 yards of scoria at \$1.25/yd if the county will agree to build ¾ mile of road to the pit. He will pay the county \$12,500 or grant them 100,000 yards of scoria for the construction of the road. Commissioner Arthaud said they would take the offer into consideration, but they currently have no immediate needs for any additional scoria.

Pat Rummel informed the board that there was going to be a meeting in Dickinson on June 6<sup>th</sup> involving representatives from the SW Counties. The purpose of the meeting is to address issues concerning emergency committals and the lack of available resources.

The board received and approved the following permits:

Construction in County Right-of-Way Permits

- Roughrider Electric – Sections 24,25,26-140-100 crossing 34<sup>th</sup> St SW
- Ronald Bock – Section 19-139-100 along 40<sup>th</sup> St SW
- Continental Resources – Section 14-141-99 along 26<sup>th</sup> St SW
- Roughrider Electric – Section 36-141-98 crossing 30<sup>th</sup> St SW
- OneOK – Section 22/27-141-99 along 28<sup>th</sup> St SW
- OneOK – Section 29/28-142-99 crossing 130<sup>th</sup> Ave SW
- NDLand Holdings LLC – Section 10-139-100 crossing 135<sup>th</sup> Ave
- Edward H. Schwartz – Section 30-144-98 along 10<sup>th</sup> St
- Whiting Oil & Gas – Section 18-141-102 along Wannagan Road
- Whiting Oil & Gas – Section 12-139-100 along 38<sup>th</sup> St SW
- Whiting Oil & Gas – Section 27-140-100 along 34<sup>th</sup> St SW

Pipeline Permits

- OneOK – Section 15 to Section 10 in 141-99
- OneOK – Sections 22,23,27 in 141-99
- OneOK – Section
- NDLand Holdings LLC – Section 10-139-100
- Petro Hunt, LLC – Section 3-144-98

The board reviewed the following zoning items from the zoning board's April 12, 2012 meeting:

Myron Yourk: Variance to relocate an existing mobile home hookup in the NW1/4NW1/4 14-142-99 (Fairfield) to another location approximately 300' to the southeast. The zoning board tabled this request and requested a specific plan approved by SW District Health, and clear title to the property proven. No action required by the board of county commissioners at this time.

Rick Duval, of ADB Development, LLC: Application for the Development of a Subdivision for a 40 acre tract (E1/2E1/2NW1/4 22-141-99). Request to rezone approximately 20 acres as residential (19 lots +/-) and 20 acres as commercial (4 lots +/-). Also requested is a variance to reduce the front yard setback for the proposed residential lots from 75' to 50'. Property is currently zoned agricultural and owned by William & Edna Engen. The zoning board requested more detailed plans of the water and sewer systems showing that it is adequate for the proposal and tabled the applications until the concerns were addressed. No action required by the board of county commissioners at this time.

Rick Duval, of ADB Development, LLC: Variance to allow up to two (2) RV's as temporary housing on the E1/2E1/2NW1/4 sec 22-141-99. RV's would be living/office quarters during the planning and construction of the above proposed subdivision. Even though the subdivision was not approved at this time, they are still requesting approval of the RV variance so they can work on the water and sewer issues. The zoning board approved the variance. Arthaud moved to approve the variance and added a request that zoning require a 911 address for all residences. Thompson seconded. All voted aye.

Energy Resource Group, LLC: Variance to reduce the parking requirement for their proposed crew

housing facility at the former Fryburg School site from one parking space per bed to one parking space per two beds. The zoning board approved the variance. The board of county commissioners tabled this request until ERG meets the other requirements of sewer, water, etc.

James Odermann: Application to rezone approximately 20 acres in the NE1/4NE1/4 22-141-99 from agricultural to industrial to be used as a pipe and tank storage yard. The zoning board approved the application with the approach being off of Frank’s Creek Road. Thompson moved to uphold the zoning board recommendation. Arthaud seconded. All voted aye.

Great Northern Midstream: Application for a Conditional Use Permit for temporary crew housing in the N1/2S1/2 10-139-100 during the construction of the railroad crude oil leadout facility. Variance requested to allow 15 RV’s as temporary housing. The zoning board approved the permit. Thompson moved to uphold the zoning board recommendation. Arthaud seconded. All voted aye.

Loren & Wendy Kordonowy: Application for temporary crew housing for 2 completely self-contained skid shack units in the NW1/4NE1/4 16-142-99. The board approved the current skid shacks for up to one year. Thompson moved to uphold the zoning board recommendation. Arthaud seconded. All voted aye.

Don & Bonnie Heiser: Conditional Use Permit to place a mobile home on an existing farmstead at 3634 132 1/2 Ave SW in the S1/2NE1/4 1-139-100. The zoning board approved the permit. Thompson moved to uphold the zoning board recommendation. Arthaud seconded. All voted aye.

Royce Robins with Empire Oil Company met with the board concerning mineral leases for the Kotchman Estate. Billings County is the trustee for the Estate and listed as owner of record. Thompson moved to approve the lease pending State’s Attorney Brovold’s approval. Arthaud seconded. All voted aye.

Craig Kubas with Kadrmas Lee & Jackson met with the board for the monthly engineers report. Thompson moved to approve advertising for bids for project CP-0408(12)01. Arthaud seconded. All voted aye. Thompson moved to approve advertising for bids for project CP-04(12)02. Arthaud seconded. All voted aye.

The board received a request to sign a resolution in support of North American Water and Power Alliance (NAWAPA) and a very large water project. Thompson moved to not sign the resolution. Arthaud seconded. All voted aye.

Jay Brovold presented the board with four extension of scoria and/or gravel leases. One lease extension each for Tom Grosulak, Nick Simnioniw Trust, Simnioniw/Knudtson and Don Stigen. Thompson moved to approve the lease extensions. Arthaud seconded. All voted aye.

The board approved the revenue vouchers for the month of April: Recorder \$27,291.33; Zoning \$1,175.00; Court \$130.00; Sheriff \$10.00

Revenues for materials and/or services rendered in April: Mark Kordon \$1,600 used fuel tank; Roy Krivoruchka \$225.00 backhoe rental; Continental Metal Products \$307.00; Flying Y \$125.60 scoria & trucking; Dale Baranko \$125.60 scoria & trucking; Thomas Grosulak \$42.00 cobra insurance; Belfield Ambulance \$10,999.68 staffing grant reimbursement; Baranko Brothers \$10,000.00 overload fee; Trotter Construction \$166.55 maps; Mike Ross \$16.13 map; Belfield Sportsman Club \$600.00 loader work/blading

Revenues for the month of April: Ambulance Services \$819.29; Land Utilization \$5,511,390.83; Insurance Conferment \$11,542.00; EMS Training Grant \$2,000.00; EMPG Grant \$3,780.17; Highway Distribution \$14,059.92; Township Road Distribution \$18,943.51; State Aid \$74,921.24; Oil & Gas Production Tax \$114,846.96; Weed Board TAG funds \$4,000.00; Royalties \$56,207.76; Interest \$2,729.16;

The following claims were approved for payment:

Advanced Business Methods	Copier Contracts & Copy Paper	002358	\$	1,509.42	
Alternative Sanitation	Garbage Removal	002359	\$	220.00	1, 2, 3, W
Ameripride Linen Service	Mat Rental	002360	\$	100.24	2, 3
A T & T Mobility	Cellular Service	002361	\$	74.36	1
Billings County Ambulance	Training Grant	002362	\$	2,000.00	
Billings County Rural Fire District	Taxes	002363	\$	5,572.58	
Billings County Historical Society	Taxes	002364	\$	304.24	
Billings County Pioneer	Publishing	002365	\$	1,192.57	
Billings County School District	Weed – Garbage Removal	002366	\$	280.00	
Billings County School District	Taxes	002367	\$	89,375.90	
Billings County School District	Land Utilization Payment	002368	\$	350,000.00	
Belfield Automotive Supply, Inc.	Parts & Supplies	002369	\$	1,541.51	1, 2, 3, G, W
Best Energy	Propane	002370	\$	5,735.00	1, 3, G
Blue Cross Blue Shield of N.D.	Dental & Vision Premiums	002371	\$	2,386.80	1, 2, 3, W, G
Boespflug Trailers & Feed	Parts & Supplies	002372	\$	760.00	2
Boltz Construction	Blade Roads	002373	\$	1,300.00	3
Boswell Welding Co., Inc.	Build Cattleguard	002374	\$	5,020.00	3
Braun Intertec	Engineering	002375	\$	386.50	3
Brooks & Associates, C. E.	Land Use Plan	002376	\$	104.12	

Butler Machinery Co.	Parts & Repairs	002377	\$	629.55	1, 3
Cash, Kathy	Deputy Auditor – HR Conference	002378	\$	186.42	
CDW Government	S. O. – Havis Equipment	002379	\$	2,532.63	
Cellular Communications	S. O. – Radio Parts	002380	\$	12.99	
Cerkoney, Cathy	Zoning Meeting – Mileage	002381	\$	83.85	
Comfort Inn – Bismarck	Tax Director – Training Expense	002382	\$	345.00	
Creative Energy	Diesel Fuel & Supplies	002383	\$	5,918.55	1, 3
Dakota Farm Equipment, Inc.	Parts & Supplies	002384	\$	771.36	1, 2
Dakota Water Treatment	Water System Rental	002385	\$	25.00	1
Dan’s Interstate Conoco	S. O. & Ambulance – Gas	002386	\$	425.90	
Deans Distributing	Drum Oil	002387	\$	243.80	3
Dickinson Public Library	Library Services	002388	\$	3,645.96	
Dickinson Tire, Inc.	Ambulance – Tires	002389	\$	687.16	
Electronic Communications	Narrowband Programming	002390	\$	2,125.00	
Ferguson Enterprises, Inc.	Parts & Supplies	002391	\$	27.44	2
Four Corners Cafe	Fire Food	002392	\$	500.95	
General Steel & Supply Co.	Shop Supplies	002393	\$	280.60	2
George’s Tire, Ltd.	Tires & Repairs	002394	\$	644.00	2
Golden Valley County	Social Services	002395	\$	9,088.85	
Great Plains National Bank	Recorder – Safety Deposit Fee	002396	\$	35.00	
Heiser Electric, Don	Electrical Services	002397	\$	3,254.84	3, W
Heiser, Don	Zoning Meetings – Mileage	002398	\$	62.76	
Hlebechuk Construction	Blade Roads	002399	\$	23,010.00	1, 2
Jandt Plumbing & Heating	Weed – Shop Construction	002400	\$	17,141.08	
Kadrmass, Lee, & Jackson, Inc.	Engineering	002401	\$	43,880.85	1, 2, 3
Kasian, Connie	Zoning Meeting – Mileage	002402	\$	78.30	
Kasian, Michael E.	Commissioner – Mileage	002403	\$	146.52	2
Kastrow, Jason	S. O. – Travel Expense	002404	\$	90.00	
Kessel, Anita	Zoning Meeting – Mileage	002405	\$	89.40	
Kohler Communications	Gorham Tower Rent	002406	\$	1,419.50	
Krush, Paul	Zoning Meeting – Mileage	002407	\$	91.62	
Lyle Signs, Inc.	Road Signs	002408	\$	836.07	2
Mainstay Suites	S. O. – Travel Expenses	002409	\$	154.00	2
Mid-American Research Chemical	Courthouse – Maintenance Supplies	002410	\$	213.93	
Mark’s Tire Service, Inc.	Courthouse Vehicle – Tire	002411	\$	227.50	
Martin Construction	City of Medora – Fire Hall Pad	002412	\$	7,240.00	
McJunkin Redman Corp.	Parts & Supplies	002413	\$	134.02	3
Midstate Telephone Company	911 Changes	002414	\$	12.00	
Midstate Telephone Company	Courthouse – Telephone Service	002415	\$	951.39	
Midwest Doors, Inc.	D. E. M. – Receiver/Remotes	002416	\$	136.85	1
Mobile Binders	Recorder – Docket Binders	002417	\$	739.34	
Missouri Valley Petroleum, Inc.	Gas, Oil, & Diesel	002418	\$	31,779.50	2, 3, G
N.D. Association of Counties	Weed – D & A Testing	002419	\$	53.00	
N.D. Association of Counties	Taxes	002420	\$	107.86	
N.D. Association of Oil & Gas	Crew Camp Workshop Fees	002421	\$	60.00	
N.D. Cowboy Hall of Fame	Meeting Room – Maintenance	002422	\$	200.00	
N.D.P.E.R.S.	Health Insurance Premium	002423	\$	34,825.94	1, 2, 3, W, G
N.D. County Recorders Association	Recorder – Convention Fee	002424	\$	100.00	
N.D. Sheriff & Deputies Association	S. O. – Membership Dues	002425	\$	50.00	
N.D. State Treasurer	Clerk of Court Fees	002426	\$	36.90	
N.D.A.A.O.	Tax Director – Class Fees	002427	\$	182.00	
N.D.A.C.S.	Supt. of Schools – Membership Dues	002428	\$	50.00	
Nelson International	Parts & Supplies	002429	\$	419.41	1, 2
Newby’s Ace Hardware	Supplies	002430	\$	207.31	1, W
Northern Improvement Co.	Old Highway 10	002431	\$	7,339.95	3
O’Brien Builders	Weed – Shop Construction	002432	\$	5,513.25	
Lamb, Marcia	Deputy Tax Director – Travel Expense	002433	\$	322.59	
Off Road Software, Inc.	Off Road GIS Software	002434	\$	1,400.00	
Performance Truck Center	Parts & Repairs	002435	\$	475.12	1, 2
PFC Products, Inc.	Clerk of Court – Envelopes	002436	\$	116.95	
Pitney Bowes	Postage Machine – Contract	002437	\$	349.08	
Pizza Ranch	Ambulance – Training Expense	002438	\$	90.97	
Pladson	Ambulance – Crew Housing	002439	\$	106,110.00	
Prairie Lumber Company	Weed – Shop Construction	002440	\$	1,574.97	
Pump Systems, Inc.	Parts & Equipment	002441	\$	5,890.48	1, 2, 3
Ramkota Hotel – Bismarck	Ambulance & Auditor – Travel	002442	\$	894.00	
RDO Equipment Co.	Parts & Supplies	002443	\$	1,847.30	2
Roosevelt Custer Regional Council	Mitigation Plan	002444	\$	8,022.44	
Roughrider Bar & Steakhouse	D.E.M. & Ambulance - Training	002445	\$	242.09	
Roughrider Electric Cooperative	Electricity	002446	\$	1,854.04	1, 2, 3, W, G
Rummel, Patrick	S. O. – Travel Expense	002447	\$	30.00	
Runnings Farm & Fleet, Inc.	Parts & Supplies	002448	\$	240.00	1, 2, 3
S & R Interiors	Museum – Courtroom Floor Refinish	002449	\$	4,878.85	
Southwest Business Machines	Office Supplies	002450	\$	711.14	
SimplexGrinnell	Courthouse – Alarm Contract	002451	\$	1,466.00	
Stein’s, Inc.	Courthouse – Maintenance Supplies	002452	\$	271.70	
Stopplesworth & Sons	Blade Roads	002453	\$	26,984.50	2
SuperPumper	S. O. – Gas	002454	\$	176.01	
Southwest Grain Cooperative	Seed	002455	\$	670.00	2
Southwestern District Health Unit	Taxes	002456	\$	2,687.83	
Southwest Water Authority	Water Usage	002457	\$	897.02	1, 2, 3, W
Southwest Water Authority	Taxes	002458	\$	745.45	
Swanston Equipment Corp.	Parts & Supplies	002459	\$	53.00	1
Synergy Graphics	Election – Supplies	002460	\$	90.00	
Tczap, John	Zoning Meeting – Mileage	002461	\$	45.00	
Thompson, Philip M.	Ambulance – EMT Training Expenses	002462	\$	235.95	
Tom’s Service Center	Oil-x, Service, Gas, & Tires	002463	\$	1,174.00	3, G
Total Safety US, Inc.	Safety Equipment	002464	\$	461.03	2, W
Triple S Industries	Parts & Supplies	002465	\$	1,300.00	1
Underground Vaults, Inc.	Recorder – Media Storage	002466	\$	212.00	

U.S.D.A. – N.F.C.	Goldsberry Riverbank Stabilization	002467	\$	13,032.99	1
Verizon Wireless	Cellular Services	002468	\$	1,036.83	2, 3, G
Volesky Construction	Shop Construction & Repairs	002469	\$	3,198.00	1, W
Wal-Mart	Supplies	002470	\$	624.33	
Warne Chemical & Equipment Co.	Polytank with Honda Motor	002471	\$	2,052.00	3
West Dakota Oil Co., Inc.	Drum Oil	002472	\$	775.18	1
Westlie Truck Center	Parts & Repairs	002473	\$	1,115.63	3
Xylem Dewatering Solutions	Flood Emergency Pump	002474	\$	31,601.83	
Zoll Medical Corporation	Ambulance – Medical Supplies	002475	\$	627.52	
Century Link	Telephone Services	002540	\$	612.93	1, 2, 3, W, G
Consolidated	Internet Services	002541	\$	336.71	2, 3, W
Discovery Benefits, Inc.	Administrative Fees	002542	\$	83.00	
Information Technology Dept.	S. O. – T-1 Line	002544	\$	433.85	
Medora, City of...	Courthouse – Utilities	002545	\$	220.12	
N.D.P.E.R.S	Retirement	002548	\$	17,690.63	1, 2, 3, W, G
Pitney Bowes Reserve Account	Replenish Postage Meter	002549	\$	2,400.00	
Reservation Telephone Cooperative	Telephone Service	002551	\$	46.09	1, 2, 3, G
Team Laboratory Chemical Corp.	Dust Control	002552	\$	55,840.62	
Visa	Ambulance – Equipment	002553	\$	2,840.66	1, 2, 3, G

Payroll in the following amounts were approved for April: General Fund \$85,580.74; Road and Bridge Fund \$79,176.85; Weed Fund \$4,369.78

With there being no further business, Thompson moved to adjourn the meeting 12:25 P.M. Kasian seconded.

James Arthaud, Chairman

Attest: \_\_\_\_\_

Joan Jurgens, Auditor/Treasurer